

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 491

92ND GENERAL ASSEMBLY

1477S.03T

2003

AN ACT

To repeal sections 301.069, 301.130, and 301.142, RSMo, and to enact in lieu thereof three new sections relating to license plates, with penalty provisions and an effective date for certain sections.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 301.069, 301.130, and 301.142, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 301.069, 301.130, and 301.142, to read as follows:

301.069. For each driveway license there shall be paid an annual license fee of forty-four dollars and fifty cents for one set of plates or such insignia as the director may issue which shall be attached to the motor vehicle as prescribed in this chapter. **Applicants may choose to obtain biennial driveway licenses. The fee for biennial driveway licenses shall be eighty-nine dollars.** For single trips the fee shall be four dollars, and descriptive insignia shall be prepared and issued at the discretion of the director who shall also prescribe the type of equipment used to attach such vehicles in combinations.

301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided [herein] **by this section**. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

8 of revenue. **The plates shall also contain fully reflective material with a common color**
9 **scheme and design for each type of license plate issued pursuant to this chapter. The plates**
10 **shall be clearly visible at night, and shall be aesthetically attractive.** Special plates for
11 qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates
12 in preference to the words "SHOW-ME STATE" and special plates for members of the national
13 guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME
14 STATE".

15 2. The arrangement of letters and numbers of license plates shall be uniform throughout
16 each classification of registration. **The director may provide for the arrangement of the**
17 **numbers in groups or otherwise, and for other distinguishing marks on the plates.**

18 3. [The background of all license plates, or the letters and numerals thereof, shall be
19 coated with a material which will reflect the lights of other vehicles. The nature and
20 specifications of this material shall be determined after a public hearing by the director of
21 revenue, director of prison industries, and superintendent of the state highway patrol, and shall
22 meet the standards established by the state transportation department.

23 4. Figures on license plates, except those which may be used to designate gross weights
24 for which commercial motor vehicles are registered, shall not be less than three inches in height
25 and the strokes thereof not less than five-sixteenths of an inch in width. In the case of
26 motorcycles and motortricycles, the letters and figures shall be not less than one inch in height
27 and the strokes thereof one-eighth of an inch in width. The director may provide for the
28 arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the
29 plates.

30 5.] All property-carrying commercial motor vehicles to be registered at a gross weight
31 in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local
32 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and
33 driveaway vehicles shall be registered with the director of revenue as provided for in subsection
34 3 of section 301.030, but only one license plate shall be issued for each such vehicle **except as**
35 **provided in this subsection. The applicant for registration of any property-carrying**
36 **commercial motor vehicle may request and be issued two license plates for such vehicle,**
37 **and if such plates are issued the director of revenue may assess and collect an additional**
38 **charge from the applicant in an amount not to exceed the fee prescribed for personalized**
39 **license plates in subsection 1 of section 301.144.**

40 [6.] 4. The plates issued to manufacturers and dealers shall bear the letter "D" preceding
41 the number, and the director may place upon the plates other letters or marks to distinguish
42 commercial motor vehicles and trailers and other types of motor vehicles.

43 [7.] 5. No motor vehicle or trailer shall be operated on any highway of this state unless

44 it shall have displayed thereon the license plate or set of license plates issued by the director of
45 revenue and authorized by section 301.140. Each such plate shall be securely fastened to the
46 motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean
47 so that the reflective qualities thereof are not impaired. License plates shall be fastened to all
48 motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve
49 thousand pounds on the front and rear of such vehicles not less than eight nor more than
50 forty-eight inches above the ground, with the letters and numbers thereon right side up. The
51 license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on
52 the rear of such vehicles, with the letters and numbers thereon right side up. The license plate
53 on **buses, other than school buses, and on** trucks, tractors, truck tractors or truck-tractors
54 licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not
55 less than eight nor more than forty-eight inches above the ground, with the letters and numbers
56 thereon right side up **or if two plates are issued for the vehicle pursuant to subsection 5 of**
57 **this section, displayed in the same manner on the front and rear of such vehicles.** The
58 license plate or plates authorized by section 301.140, when properly attached, shall be prima
59 facie evidence that the required fees have been paid.

60 [8.] 6. (1) The director of revenue shall issue annually a tab or set of tabs as evidence
61 of the annual payment of registration fees and the current registration of a vehicle in lieu of the
62 set of plates]; except that the director shall annually issue a new license plate or set of plates as
63 provided in this section for vehicles registered pursuant to subsection 2 of section 301.277,
64 commercial motor vehicles in excess of twelve thousand pounds, trailers, buses and dealers].

65 (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such
66 tab or tabs [on the middle] **in the designated area** of the license plate, no more than one per
67 plate.

68 (3) A tab or set of tabs issued by the director when attached to a vehicle in the prescribed
69 manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

70 (4) Except as provided in subdivision (1) of this subsection, the director of revenue shall
71 issue plates for a period of at least five years.

72 (5) For those commercial motor vehicles and trailers registered pursuant to section
73 301.041, the plate issued by the director of revenue shall be a permanent nonexpiring license
74 plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any
75 vehicle permanently registered pursuant to this section from the obligation to pay the annual
76 registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned
77 to the director of revenue upon the sale or disposal of the vehicle by the owner to whom the
78 permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement
79 commercial motor vehicle when the owner files a supplemental application with the Missouri

80 highway reciprocity commission for the registration of such replacement commercial motor
81 vehicle. Upon payment of the annual registration fee, the director of revenue shall issue a
82 certificate of registration or other suitable evidence of payment of the annual fee, and such
83 evidence of payment shall be carried at all times in the vehicle for which it is issued.

84 (6) Upon the sale or disposal of any vehicle permanently registered under this section,
85 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued
86 for such vehicle shall be returned to the director and shall not be valid for operation of such
87 vehicle, or the plate may be transferred to a replacement vehicle when the owner files a
88 supplemental application with the Missouri highway reciprocity commission for the registration
89 of such replacement vehicle. If a vehicle which is permanently registered under this section is
90 sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given
91 credit for any unused portion of the annual registration fee when the vehicle is replaced by the
92 purchase or lease of another vehicle during the registration year.

93 [9.] 7. The director of revenue may prescribe rules and regulations for the effective
94 administration of this section. No rule or portion of a rule promulgated under the authority of
95 this section shall become effective unless it has been promulgated pursuant to the provisions of
96 section 536.024, RSMo.

97 **8. Notwithstanding the provisions of any other law to the contrary, owners of motor**
98 **vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in**
99 **excess of eighteen thousand pounds gross weight may apply for special personalized license**
100 **plates. Vehicles licensed for eighteen thousand pounds that display special personalized**
101 **license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.**

301.142. 1. As used in this section the term "physically disabled" means a natural person
2 who is a blind person, as defined in section 8.700, RSMo, or a natural person with disabilities
3 which limit or impair the ability to walk, as determined by a licensed physician as follows:

4 (1) The person cannot walk fifty feet without stopping to rest; or

5 (2) The person cannot walk without the use of, or assistance from, a brace, cane, crutch,
6 another person, prosthetic device, wheelchair, or other assistive device; or

7 (3) Is restricted by lung disease to such an extent that the person's forced respiratory
8 expiratory volume for one second, when measured by spirometry, is less than one liter, or the
9 arterial oxygen tension is less than sixty mm/hg on room air at rest; or

10 (4) Uses portable oxygen; or

11 (5) Has a cardiac condition to the extent that the person's functional limitations are
12 classified in severity as class III or class IV according to standards set by the American Heart
13 Association; or

14 (6) Is severely limited in the applicant's ability to walk due to an arthritic, neurological,

15 or orthopedic condition.

16 2. "Temporarily disabled person" means a physically disabled person whose disability
17 or incapacity can be expected to last for not more than one hundred eighty days.

18 3. Owners of motor vehicles who are residents of the state of Missouri, and who are
19 physically disabled, owners of motor vehicles operated at least fifty percent of the time by a
20 physically disabled person, or owners of motor vehicles used to transport physically disabled
21 members of the owner's household may obtain disabled person license plates. Such owners,
22 upon application, accompanied by the documents and fees provided for in this section, and by
23 state motor vehicle laws relating to registration and licensing of motor vehicles shall be issued
24 motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in
25 excess of twenty-four thousand pounds, upon which shall be inscribed the international
26 wheelchair accessibility symbol and the word "disabled" in addition to a combination of letters
27 and numbers. Such license plates shall be made with fully reflective material with a common
28 color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as
29 prescribed by section 301.130. Handicapped parking places may only be used when a physically
30 disabled occupant is in the motor vehicle at the time of parking or when a physically disabled
31 person is being delivered or collected by a properly marked vehicle which is parked for the sole
32 use of the physically disabled person. No vehicle shall park in the access aisle. Such parking
33 violation shall be an infraction. The use of a vehicle displaying a disabled license plate or
34 windshield placard to park in a parking space designated for the disabled by a person not
35 transporting the individual for whom the license or placard was issued shall be an infraction.
36 Upon conviction thereof, violators shall be punished by a fine of not less than fifty dollars nor
37 more than three hundred dollars.

38 4. No additional fee shall be paid to the director of revenue for the issuance of the special
39 license plates provided in this section, except for special personalized license plates and other
40 license plates described in this subsection. Priority for any specific set of special license plates
41 shall be given to the applicant who received the number in the immediately preceding license
42 period subject to the applicant's compliance with the provisions of this section and any applicable
43 rules or regulations issued by the director. If determined feasible by the advisory committee
44 established in section 301.129, any special license plate issued pursuant to this section may be
45 adapted to also include the international wheelchair accessibility symbol and the word "disabled"
46 as prescribed in subsection 3 of this section and such plate may be issued to any applicant who
47 meets the requirements of this section and the other appropriate provision of this chapter, subject
48 to the requirements and fees of the appropriate provision of this chapter.

49 5. Any physically disabled person, or the parent or guardian of any such person, or any
50 not-for-profit group, organization, or other entity which transports more than one physically

51 disabled person, may apply to the director of revenue for a removable windshield placard to be
52 hung from the rearview mirror of a parked motor vehicle. When there is no rearview mirror, the
53 placard shall be displayed on the dashboard on the driver's side. The removable windshield
54 placard shall conform to the specifications, in respect to size, color, and content, as set forth in
55 federal regulations published by the Department of Transportation. The fee for each removable
56 windshield placard shall be [two] **four** dollars and the removable windshield placard shall be
57 renewed every [year, renewable for one year, or four dollars, renewable every] two years. **The**
58 **director may stagger the expiration dates to equalize the workload.** Only one removable
59 placard may be issued to an applicant who has been issued disabled person license plates. Upon
60 request, one additional windshield placard shall be issued to an applicant who has not been
61 issued disabled person license plates. A temporary windshield placard shall be issued to any
62 physically disabled person, or the parent or guardian of any such person who otherwise qualifies
63 except that the physical disability, in the opinion of the physician, is not expected to exceed a
64 period of one hundred eighty days. The temporary windshield placard shall conform to the
65 specifications, in respect to size, color, and content, as set forth in federal regulations published
66 by the Department of Transportation. The fee for the temporary windshield placard shall be two
67 dollars. Upon request, one additional temporary windshield placard shall be issued to an
68 applicant. Temporary windshield placards shall be issued upon presentation of the physician's
69 statement provided by this section and shall be displayed in the same manner as removable
70 windshield placards. A person or entity shall be qualified to possess and display a temporary
71 removable windshield placard for six months and the placard may be renewed once for an
72 additional six months if a physician's statement pursuant to subsection 6 of this section is
73 supplied to the director of revenue at the time of renewal. The placard shall be renewable only
74 by the person or entity to which the placard was originally issued. Any placard issued pursuant
75 to this section shall only be used when a physically disabled occupant is in the motor vehicle at
76 the time of parking or when a physically disabled person is being delivered or collected by a
77 properly marked vehicle which is parked for the sole use of the physically disabled person.

78 6. Application for license plates or windshield placards issued pursuant to this section
79 shall be made to the director of revenue and shall be accompanied by a statement signed by a
80 licensed physician which certifies that the applicant, user, or member of the applicant's
81 household is a physically disabled person as defined by this section. The physician's statement
82 shall be on a form prescribed by the director of revenue which shall include the physician's
83 license number. If it is the professional opinion of the physician who issues the statement that
84 the physical disability of the applicant, user, or member of the applicant's household is
85 permanent, this shall be noted on the statement. In such instances, the applicant shall present the
86 physician's statement which states that the applicant's disability is permanent to the director of

87 revenue the first time the applicant applies for license plates or a removable windshield placard.
88 The applicant shall not be required to obtain a new physician's statement each time that the
89 applicant applies for or renews license plates or a removable windshield placard; but, the
90 applicant shall present a physician's statement each time the applicant applies for a temporary
91 windshield placard or renews a temporary windshield placard. Such physician's statement shall
92 state the expiration date for the temporary windshield placard. If the physician fails to record an
93 expiration date on the physician's statement, the director shall issue the temporary windshield
94 placard for a period of thirty days. The director of revenue upon receiving a physician's
95 statement pursuant to this subsection shall check with the state board of registration for the
96 healing arts created in section 334.120, RSMo, or the Missouri state board of chiropractic
97 examiners established in section 331.090, RSMo, with respect to physician's statements signed
98 by licensed chiropractors, or with the board of optometry established in section 336.130, RSMo,
99 with respect to physician's statements signed by licensed optometrists, or the state board of
100 podiatric medicine created in section 330.100, RSMo, with respect to physician's statements
101 signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed
102 and registered pursuant to law. The boards shall cooperate with the director and shall supply
103 information requested pursuant to this subsection. The director may, in cooperation with the
104 boards which shall assist the director, establish a list of all physicians' names and of any other
105 information necessary to administer this subsection within the department of revenue if the
106 director determines that such listing is necessary to carry out the provisions of this subsection.

107 7. Where the owner's application is based on the fact that the vehicle is used at least fifty
108 percent of the time by a physically disabled person, the applicant shall submit an affidavit stating
109 this fact, in addition to the physician's statement. The affidavit shall be signed by both the owner
110 of the vehicle and the physically disabled person. The applicant shall be required to submit this
111 affidavit with each application for license plates.

112 8. The director of revenue shall enter into reciprocity agreements with other states or the
113 federal government for the purpose of recognizing disabled person license plates or windshield
114 placards issued to physically disabled persons.

115 9. When a person to whom disabled person license plates or a removable or temporary
116 windshield placard or both have been issued dies, the personal representative of such person shall
117 return the plates or placards or both to the director of revenue under penalty of law. The director
118 of revenue may order any person issued disabled person license plates or windshield placards to
119 submit to an examination by a chiropractor, osteopath, or physician, or to such other
120 investigation as will determine whether such person qualifies for the special plates or placards.
121 If such person refuses to submit or is found to no longer qualify for special plates or placards
122 provided for in this section, the director of revenue shall collect the special plates or placards,

123 and shall furnish license plates to replace the ones collected as provided by this chapter.

124 10. In the event a removable or temporary windshield placard is lost, stolen, or mutilated,
125 the lawful holder thereof shall, within five days, file with the director of revenue an application
126 and an affidavit stating such fact, in order to purchase a new placard. The fee for the
127 replacement windshield placard shall be two dollars.

128 11. Beginning after September 1, 1998, and prior to August 31, 1999, the director of
129 revenue shall authorize a one-time recertification and review of all permanent disabled person
130 license plates and windshield placards, including physician's license numbers and related
131 information that the director has on file pursuant to subsection 6 of this section to determine if
132 such numbers and information are current and correct. The director shall require the presentation
133 of a new physician's statement and other information deemed necessary by the director to
134 administer the provisions of this section. The recertification and review shall be conducted in
135 a manner as determined by the director.

136 12. Fraudulent application, renewal, issuance, procurement or use of disabled person
137 license plates or windshield placards shall be a class A misdemeanor. It is a class B
138 misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual
139 or family member is qualified for a license plate or windshield placard based on a disability, the
140 diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis.

 Section B. The repeal and reenactment of sections 301.069 and 301.142 shall become
2 effective on January 1, 2004.